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6 Proposed Attorneys for Debtor
EAGLE CASTLE WINERY, LLC

7 UNITED STATES BANKRUPTCY COURT

8 NORTHERN DISTRICT OF CALIFORNIA

9 SAN JOSE DIVISION

10 In re:

11 EAGLE CASTLE WINERY, LLC
12 Debtor.

Case No. 12-55056
Chapter 11

DEBTOR'S EX PARTE
APPLICATION FOR CHANGE OF
VENUE TO THE CENTRAL
DISTRICT OF CALIFORNIA

16 COMES NOW EAGLE CASTLE WINERY, LLC (Debtor) with this Ex Parte Application
17 for Change of Venue. This Ex Parte Application is based on 28 U.S.C. § 1408 and, Fed. R.
18 Bank. P. 1014.

19 IN SUPPORT OF THIS APPLICATION, DEBTOR represents as follows:

20 1. Debtor filed this case under Chapter 11 on July 6, 2012. The petition was filed
in the Northern District of California, San Jose Division, assigned Case No. 12-55056. The
petition was filed to stop a foreclosure sale of the Debtor's real property set for 11:00 a.m. July
6, 2012. The debtor's address is 3090 Anderson Road, Paso Robles, California 93446. A
copy of the filed petition is attached as Exhibit A to the Request for Judicial Notice, filed
concurrently.

26 2. As stated on its petition, the Debtor's principal place of business and assets of
the Debtor are located entirely in San Luis Obispo County, California, and consist of a 25-acre
property containing 13 acres of grapevines, and a winery, tasting room and ballroom totaling
20,500 square feet. The debtor acquired the Property in 2001, and has improved and

operated the Property continuously since that time.

3. The United States District Court for the Central District of California extends to and includes San Luis Obispo County, California, the county where the Debtor's principal place of business and assets are located. The debtor desires to remain a debtor-in-possession of its pending bankruptcy case, and seeks to transfer this case to the Central District of California.

4. The Debtor requests that the court hear and consider this Motion on an expedited ex parte basis due to the clear directive of the venue statute and to preserve court and judicial resources.

LAW AND DISCUSSION

A. This Case Should be Transferred to the Central District of California

28 USC § 1408(1) provides that a case under Title 11 may be commenced in the [federal] district court for the district in which the debtor's domicile, residence, principal place of business or assets are located for the One-Hundred Eighty (180) day period immediately proceeding the bankruptcy filing, *In re: Broady*, 247 B.R. 470 (8th Cir. BAP 2000).

Here, the Debtor's principal place of business and assets are located within the Central District of California. Accordingly, since the debtor desires to remain a debtor-in-possession, this case should be transferred to the Central District of California.

Respectfully Submitted:

EAGLE CASTLE WINERY, LLC

Dated: July 10, 2012

By: /s/ Steven J. Sibley

STEVEN J. SIBLEY

Proposed Attorneys for the Debtor.